

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DON E. PHILIPPI, JR.,

Petitioner,

vs.

DIRECTOR COX,

Respondent.

3:11-cv-00447-HDM-VPC

ORDER

This habeas action comes before the Court on petitioner's motion (#45) for a status check.

This action was closed by an order of dismissal and final judgment entered on November 15, 2012. It appears that the Clerk of Court erroneously listed respondents' counsel also as counsel for petitioner on the docket sheet, from some unknown point until the error was corrected on June 19, 2014. Apparently as a result, the notice of electronic filing for the dismissal order and judgment were not sent to petitioner in proper person. A prior notice of electronic filing reflects that the order leading up to the dismissal was sent to petitioner, and he responded to that order. However, the record does not reflect that the following dismissal order and judgment, entered after that response, were sent to petitioner.

IT THEREFORE IS ORDERED that the motion (#45) for a status check is GRANTED consistent with the remaining provisions herein.

IT FURTHER IS ORDERED that the Clerk: (a) shall SEND plaintiff a copy of ## 42,43, 44 and 45 at his current Lovelock Correctional Center address; and (b) shall expressly reflect

1 in the docket entry for this order that a hard copy of ## 42, 43, 44 and 45 have been mailed
2 to petitioner in proper person.

3 DATED: June 27, 2014.

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HOWARD D. MCKIBBEN
United States District Judge
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